

1 Michael W. Armstrong (SBN 87799)
2 NOLAN, ARMSTRONG & BARTON, LLP
3 600 University Avenue
4 Palo Alto, CA 94301
5 Tel. (650) 326-2980 Fax (650) 326-9704

FILED 2/13/12

6 Counsel for Defendant Kevin Yang

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
9 **SAN JOSE DIVISION**

10
11 UNITED STATES,

12 Plaintiff,

13 v.

14
15 KEVIN CHEN CHIEH YANG,

16 Defendant.
17

Case No. CR 11-00472 RMW

STIPULATION AND []
ORDER TO CONTINUE STATUS
HEARING

Date: February 13, 2012

Time: 9:00 a.m.

Court: The Hon. Ronald M. Whyte

18
19 It is hereby stipulated between the parties, Michael W. Armstrong, attorney for defendant,
20 Kevin Yang, and Assistant United States Attorney Allison Danner for the United States of
21 America, that the presently scheduled status hearing of February 13, 2012 be rescheduled to
22 Monday, March 5, 2012 at 9:00 a.m. before the Honorable Ronald M. Whyte.

23 The case was originally scheduled for February 6, 2012, and counsel received an order
24 from the court rescheduling the hearing for February 13, 2012. Defendant's counsel, Michael W.
25 Armstrong, is unavailable on that date and out of the state. The next date available to both counsel
26 is March 5, 2012.

27 The parties agree that the time between February 13, 2012 through March 5, 2012 is
28 properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections

1 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

2 SO STIPULATED:

3 NOLAN, ARMSTRONG & BARTON

4
5 Dated: February 8, 2012

6 _____/s/_____
MICHAEL W. ARMSTRONG
7 Attorney for Defendant KEVIN YANG

8 MELINDA HAAG
9 United States Attorney

10 Dated: February 8, 2012

11 _____/s/_____
ALLISON MARSTON DANNER
12 Assistant United States Attorney

13
14 **ORDER**

15 For the foregoing reasons, the Court continues the next status conference in this case from
16 February 13, 2012 to March 5, 2012 at 9:00 a.m. For the reasons stated above, the Court further
17 finds that the ends of justice served by granting the requested continuance outweigh the best
18 interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and
19 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from February 13, 2012 through March 5,
20 2012.

21 SO ORDERED.

22
23 Dated: February J, 2012

24 
THE HONORABLE RONALD M. WHYTE
JUDGE OF THE SUPERIOR COURT